

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO**

IN THE MATTER OF:	)	CASE NO. 23-51015
	)	CHAPTER 13
	)	
REBECCA L. HORVATH	)	JUDGE ALAN M. KOSCHIK
	)	
<u>DEBTOR</u>	)	

**MOTION TO MODIFY CHAPTER 13 PLAN POST-CONFIRMATION**

Now comes Rebecca L. Horvath (“Debtor”), by and through counsel, and pursuant to 11 U.S.C. Section 1329 and hereby moves to modify her Chapter 13 plan (the “Plan”) per the below Modification and Notice.

**MODIFICATION OF PLAN AND NOTICE**

Pursuant to 11 U.S.C. §1329, and Rule 3015 of the Federal Rules of Bankruptcy Procedure, Debtor hereby proposes to modify her Plan to increase the plan payment. Specifically, the Plan has been modified in paragraph 2 as follows:

- (1) The Debtor shall make plan payments for the duration of the Chapter 13 in the amount of \$10,936.00 per month for the remainder of the applicable commitment period.

All other provisions in the Plan shall remain the same.

The Debtor submits that said modification is necessary to allow the plan to complete within the applicable commitment period. Pursuant to 1329 of Title 11 the plan as modified will become the plan.

No hearing shall be held on the foregoing, and the same may be granted without a hearing, unless an affected party files with the court within twenty-one (21) days from the date of service of this notice a written request for a hearing on the foregoing with the Clerk

of this court at Clerk of Courts, U.S. Bankruptcy Court, 2 South Main Street, Akron, OH 44308, and serves a copy of this hearing request upon the attorney for the debtor(s). 11 U.S.C. §102(1)(b).

Date: December 16, 2024

Respectfully submitted,

/s/ Steven J. Heimberger  
KATHRYN A. BELFANCE (0018035)  
STEVEN J. HEIMBERGER (0084618)  
Roderick Linton Belfance, LLP  
*Attorneys for Debtor*  
50 South Main Street, 10<sup>th</sup> Floor  
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## **NOTICE OF DEBTOR'S MOTION FOR MODIFICATION OF PLAN**

The Debtor has filed papers with the court to modify her Chapter 13 Plan, a copy of which is attached.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

**If you do not want the court to allow the modification, or if you want the court to consider your views on the modification, then on or before twenty-one (21) days, or such other time fixed by the Federal Rules of Bankruptcy Procedure or statute or as the Court may order, after service is filed and serve a response or request for hearing. If no response or request for hearing is timely filed with the Court and served upon counsel for the Movant, the Court may grant the relief requested in the motion without a hearing.**

If you do not want the court to allow the modification without holding a hearing, or if you want the court to consider your views on the objection, then on or before **January 6, 2025**, you or your attorney must:

**File with the court a written objection or response to:**

Clerk, United States Bankruptcy Court  
Northern District of Ohio  
455 Federal Bldg.  
2 South Main Street  
Akron, Ohio 44308

If you mail your Objection to the court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

**You must also mail a copy to:**

Steven J. Heimberger, Esq.  
Roderick Linton Belfance, LLP  
50 South Main Street, 10<sup>th</sup> Floor  
Akron, Ohio 44308

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief without holding a hearing.**

Date: December 16, 2024

Signature: /s/ STEVEN J. HEIMBERGER

Name: **STEVEN J. HEIMBERGER**

Attorney for the Debtor

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of December 2024, a copy of the foregoing was served to the following:

### **Served Electronically**

- Kathryn A. Belfance kb@rlblp.com, heimbergersr82735@notify.bestcase.com
- Stephen R. Franks amps@manleydeas.com
- Steven Heimberger sheimberger@rlblp.com,  
HeimbergerSR82735@notify.bestcase.com
- Cynthia A. Jeffrey bankruptcy@weinerlaw.com
- Michael J. Moran mike@gibsonmoran.com,  
moranecf@gmail.com;r55982@notify.bestcase.com
- Matthew Murtland mmurtland@logs.com, LOGSECF@logs.com
- Keith Rucinski efilings@ch13akron.com
- United States Trustee (Registered address)@usdoj.gov

### **Served Via Regular U.S. Mail**

To all parties listed on the attached Creditor Matrix.

/s/ Steven J. Heimberger\_\_\_\_\_  
Steven J. Heimberger

# MATRIX

Ally Servicing LLC as servicer on behalf of  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118-7901

HSBC Bank USA, National Association, as Trus  
ATTN: Bankruptcy Department, PO Box 2460  
West Palm Beach, FL 33416-4605

Akron Digestive Disease Consultants  
570 White Pond Drive  
Akron, OH 44320-4206

Ally Financial, Inc  
Attn: Bankruptcy  
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Detroit, MI 48226-3416

Ally Financial, Inc  
P.O. Box 380901  
Bloomington, MN 55438-0901

American Express National Bank  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

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Correspondence/Bankruptcy  
Po Box 981540  
El Paso, TX 79998-1540

Amex  
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Attorney General of the U.S.  
U.S. D.O.J. Tax Division  
Civil Trial Section, N.Region  
P.O. Box 55, Ben Franklin Station  
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Capital One  
Attn: Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130-0285

Capital One  
Po Box 31293  
Salt Lake City, UT 84131-0293

Capital One N.A.  
by American InfoSource as agent  
PO Box 71083  
Charlotte, NC 28272-1083

(p)JPMORGAN CHASE BANK N A  
BANKRUPTCY MAIL INTAKE TEAM  
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MONROE LA 71203-4774

Citibank, N.A.  
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Kirkland, WA 98083-0280

Credit Corp. Solutions  
121 West S Election Rd  
Draper, UT 84020

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Discover Products Inc  
PO Box 3025  
New Albany, OH 43054-3025

Discover Bank  
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New Albany OH 43054-3025

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New Albany, OH 43054-3025

Discover Financial  
Po Box 30939  
Salt Lake City, UT 84130-0939

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Dover, OH 44622-2346

HSBC Bank USA, National Association  
c/o PHH Mortgage Corporation  
Attn: Bankruptcy Department  
PO Box 24605  
West Palm Beach, FL 33416-4605

Huntington National Bank  
Attn: Bankruptcy  
Po Box 89424  
Cleveland, OH 44101-6424

Huntington National Bank  
Po Box 1558  
Columbus, OH 43216-1558

Huntington Voice  
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Columbus, OH 43218-2387

Internal Revenue Service  
Insolvency Group 6  
1240 East Ninth Street  
Room 493  
Cleveland, OH 44199-9941

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Intrust Bank  
c/o Service Finance Co., LLC  
555 S Federal Hwy #200  
Boca Raton, FL 33432-6033

JPMorgan Chase Bank, N.A.  
c/o Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028

Kohls/Capital One  
Attn: Credit Administrator  
Po Box 3043  
Milwaukee, WI 53201-3043

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(p)DSNB MACY S  
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Midland Funding/Midland Credit Mgmt  
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Santander Consumer USA  
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Summa Health  
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